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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT P. SMITH III, D-00615,	)	
	)	
Plaintiff(s),	)	No. C 10-2959 CRB (PR)
	)	
vs.	)	(9th Cir. No. 12-17019)
	)	
STATE OF CALIFORNIA, et al.,	)	ORDER
	)	
Defendant(s).	)	

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Plaintiff objects to the bill of costs of \$974.34 submitted by the prevailing party against him. Federal Rule of Civil Procedure 54(d) provides in pertinent past that "[u]nless a federal statute, these rules, or a court order provides otherwise, costs – other than attorney's fees – should be allowed to the prevailing party." Plaintiff sets forth no compelling reason why the court should exercise its discretionary authority to "refuse to tax costs in favor of the prevailing party." Crawford Fitting Co. v. J.T. Gibbons, Inc., 482 U.S. 437, 442 (1987).

The clerk shell send a copy of this order to the Ninth Circuit.

SO ORDERED.

DATED: Dec. 11, 2012




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CHARLES R. BREYER  
United States District Judge